## **Provider Requirements**

All providers, who request to be certified in Agency with Choice, will develop an Agency with Choice - Financial Management Services (FMS) Manual that includes the policies, procedures and internal controls for all Agency with Choice tasks. This manual must be completed and reviewed by the DD Division before the agency can be certified in the Agency with Choice Service and must be updated at least every 12 months, or as needed.

## **Prior to Certification**

- 1. The provider must submit a Certificate of Good Standing from the Wyoming Department of Employment verifying the provider is in compliance with the unemployment insurance and Worker Compensation requirements of Wyoming. Information on requesting a Certificate of Good Standing may be accessed at the Wyoming Department of Employment's website at: http://doe.wyo.gov/employers/Pages/default.aspx.
- 2. The provider must be providing accurate and timely payroll services, providing workers compensation insurance and other benefits administration for workers, as applicable, pursuant to federal and state rules and regulations.
- 3. The provider shall be using generally accepted accounting practices for record keeping.

## **After Certification**

- 1. The provider shall serve as the employer of record for workers employed by the agency, including those who are recruited, referred, and managed by participants.
- 2. The provider shall process criminal background checks and Central Registry checks on prospective employees as required or requested.
- 3. The provider shall assure prospective employees meet the standards for the services being provided, including, when applicable, maintaining current CPR and First Aid Certification, participant specific training, general training on recognizing abuse, neglect and exploitation, the Division's Notification of Incident process, service documentation, HIPAA/Confidentiality, implementing objectives, and complaints/grievance procedures.
- 4. The provider shall provide services in accordance with the philosophy of self-direction.
- 5. The provider shall provide the co-employment services serving as the employer of record in which the participant, who is the managing employer, has the rights and responsibilities to:
  - a. Recruit and refer prospective workers to the Agency with Choice FMS for hire and assignment back to the participant.
  - b. Orient and train workers.
  - c. Determine workers' terms and conditions of work and work schedules.
  - d. Supervise workers' day-to-day activities.
  - e. Evaluate workers' performance.
  - f. Discharge workers as necessary from their work sites (homes)
  - g. Request that the Agency with Choice FMS refer workers for consideration and assignment to the participant.

## **Additional Policies & Procedures**

The provider shall also develop policies and procedures to address the following:

- 1. How the Agency of Choice will ensure that the employee co-hired by the participant and the Agency with Choice will be available for the dates and times requested by the participant. That the Agency with Choice may schedule the employee for other work as long as it does not interfere with the schedule of the participant.
- 2. How the Agency of Choice will provide a back-up employee if needed for the participant due to the absence of the regular employee.
- 3. How the Agency with Choice will refer workers for consideration and assignment to the participant when requested by the participant.
- 4. How and when the Agency with Choice plans on accessing participant satisfaction.
- 5. How the Agency with Choice plans to receive and respond to grievances or complaints filed by the participant and/or their representatives, and/or their employees.
- 6. How the Agency with Choice will specifically address and make the co-employer of record aware of who is responsible for the costs associated with the employee's background check, CPR, First Aid, Division training, participant specific training, Medication Assistance training (if applicable) and any other applicable training specific to the participant and who will be responsible for the costs incurred for the time spent to attend the training (for the wages to the employee while attending trainings).